

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAUL CHILL and SYLVIA CHILL, for the  
use and benefit of the CALAMOS GROWTH  
FUND,

Plaintiffs,  
vs.  
CALAMOS ADVISORS LLC,  
Defendant.

Civil Action No.: 15 Civ. 1014 (ER)

ORAL ARGUMENT REQUESTED

**NOTION OF MOTION TO PARTIALLY EXCLUDE THE PROPOSED TESTIMONY  
AND OPINIONS OF DEFENDANT'S EXPERT ARTHUR B. LABY**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the Declaration of Andrew M. McNeela and the exhibits attached thereto, Plaintiffs Saul Chill and Sylvia Chill will move this Court, at the United States Courthouse, 40 Foley Square, New York, New York 10007, at a time and date to be determined by the Court, for an Order partially excluding the proposed testimony and opinions of Defendant's expert witness Arthur R. Laby pursuant to the Federal Rules of Evidence, and for such other relief as the Court may deem just and proper.

Dated: February 9, 2018  
New York, New York

Respectfully submitted,

**KIRBY McINERNEY LLP**

By: /s/ Andrew M. McNeela  
Andrew McNeela (amcneela@kmllp.com)  
Ira M. Press (ipress@kmllp.com)  
Mark M. Strauss (mstraus@kmllp.com)  
825 Third Avenue, 16th Floor  
New York, New York 10022  
Tel.: (212) 371-6600  
Fax: (212) 751-2540

*Counsel for Plaintiffs*